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11 *Counsel for Plaintiffs Motorola Mobility, Inc.;*
AT&T Mobility, LLC, et al.; and Target Corp., et al.
12 [Additional counsel listed on signature page]

13 UNITED STATES DISTRICT COURT
14 NORTHERN DISTRICT OF CALIFORNIA
15 SAN FRANCISCO DIVISION
16

17 In re TFT-LCD (FLAT PANEL) ANTITRUST
18 LITIGATION

Master Docket No. 07-m-1827 SI

19 This Document Relates to:

20 *AT&T Mobility LLC v. AU Optronics Corp., et*
al., No. 09-cv-4997-SI

21 *Motorola Mobility, Inc. v. AU Optronics Corp., et*
22 *al., No. 09-cv-5840-SI*

23 *Target Corp. v. AU Optronics Corp., et al., No.*
24 *10-cv-4945-SI*

25 *Best Buy Co., Inc., et al. v. AU Optronics Corp.,*
et al. Individual Case No. 3:10-cv-04572-SI

26 *Costco Wholesale Corporation v. AU Optronics*
27 *Corp., et al., No. 11-cv-00058-SI*

STIPULATION AND ~~[PROPOSED]~~
ORDER FOR VOLUNTARY
DISMISSAL OF PLAINTIFFS'
CLAIMS AGAINST TATUNG
COMPANY OF AMERICA, INC.
WITHOUT PREJUDICE

1 Defendant Tatung Company of America, Inc. ("Tatung America") and Plaintiffs Motorola
2 Mobility, Inc.; AT&T Mobility, LLC; AT&T Corp.; AT&T Services, Inc.; BellSouth
3 Telecommunications, Inc.; Pacific Bell Telephone Co.; AT&T Operations, Inc.; AT&T
4 DataComm, Inc.; Southwestern Bell Telephone Co.; Target Corp.; Sears, Roebuck and Co.;
5 Kmart Corp.; Old Comp Inc.; Good Guys, Inc.; RadioShack Corp; Newegg Inc.; Costco
6 Wholesale Corporation; Best Buy Co., Inc.; Best Buy Purchasing LLC; Best Buy Enterprise
7 Services, Inc.; Best Buy Stores L.P.; BestBuy.com, LLC.; and Magnolia Hi-Fi, Inc. ("Plaintiffs")
8 stipulate as follows:

9 WHEREAS in their operative complaints, Plaintiffs asserted claims under the Sherman
10 Antitrust Act, 15 U.S.C. § 1, as well as other state antitrust and unfair competition laws;

11 WHEREAS Plaintiffs are no longer pursuing these claims against Tatung America;

12 THEREFORE, Tatung America, by its counsel, and Plaintiffs, by the undersigned
13 counsel, stipulate and agree as follows:

- 14 1. Plaintiffs' claims against Tatung America are hereby dismissed without prejudice.
- 15 2. Both Plaintiffs and Tatung America are to bear their own costs and fees.
- 16 3. Tatung America agrees not to seek any fees or costs nor to pursue any sanctions
17 against Plaintiffs and their counsel.
- 18 4. This stipulation does not affect the rights or claims of Plaintiffs against any other
19 defendant or alleged co-conspirator in the above-captioned cases.

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1 5. The summary judgment motion filed by Tatung America against Plaintiffs, noticed
2 for hearing on June 22, 2012, is hereby taken off calendar as moot.

3 **IT IS SO STIPULATED.**

4 Respectfully submitted,

5 Dated: May 24, 2012

6 /s/ Joshua C. Stokes

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Telephone Company; AT&T Operations, Inc.; AT&T
DataComm, Inc.; Southwestern Bell Telephone
Company; Target Corporation; Sears, Roebuck and
Co.; Kmart Corporation; Old Comp Inc.; Good Guys,
Inc.; RadioShack Corporation; and Newegg Inc.*

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TATUNG COMPANY OF AMERICA, INC.
In the Motorola and AT&T cases only

**Pursuant to General Order 45, Part X-B, the filer attests that concurrence in the
filing of this document has been obtained from the other signatories.**

1 **[PROPOSED] ORDER**

2 The Court, having considered the stipulation of the parties, and good cause appearing,
3 orders as follows:

4 1. The actions filed by Motorola Mobility, Inc.; AT&T Mobility, LLC; AT&T Corp.;
5 AT&T Services, Inc.; BellSouth Telecommunications, Inc.; Pacific Bell Telephone Co.; AT&T
6 Operations, Inc.; AT&T DataComm, Inc.; Southwestern Bell Telephone Co.; Target Corp.; Sears,
7 Roebuck and Co.; Kmart Corp.; Old Comp Inc.; Good Guys, Inc.; RadioShack Corp; Newegg
8 Inc.; Costco Wholesale Corporation; Best Buy Co., Inc.; Best Buy Purchasing LLC; Best Buy
9 Enterprise Services, Inc.; Best Buy Stores L.P.; BestBuy.com, LLC.; and Magnolia Hi-Fi, Inc.
10 (“Plaintiffs”) are dismissed without prejudice as against Defendant Tatung Company of America,
11 Inc. pursuant to Federal Rule of Civil Procedure 41(a)(2).

12 2. Each of the parties shall bear its own costs and attorneys’ fees.

13 3. Tatung America shall not seek any fees or costs nor to pursue any sanctions
14 against Plaintiffs and their counsel.

15 4. This order does not affect the rights or claims of Plaintiffs against any other
16 defendant or alleged co-conspirator in the above-captioned cases.

17 5. The summary judgment motion filed by Tatung America against Plaintiffs, noticed
18 for hearing on June 22, 2012, is hereby taken off calendar as moot.

19
20 **IT IS SO ORDERED.**

21
22 Dated: 5/25, 2012

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25 Hon. Susan Y. Illston, United States District Judge

26 DCACTIVE-18458567.1